

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8056, page 295, an ORDER OF TAKING dated June 30, 1966, concerning and describing the SOUTH END URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40.

NOW THEREFORE BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such

fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: April 19, 1984

BOSTON REDEVELOPMENT AUTHORITY

By:

Rick L. Francis

Joseph F. Harte

James L. Blakely

William A. Mulvihill

Clarence J. Jones

ATTEST:

Karen S. Gorman

Secretary of the Boston Redevelopment Authority

Approved as to Form:

Ralph F. Cahill

Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH END URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcel of land is to be taken by this Order of Taking:

Boston Redevelopment Authority Disposition Parcel 4,
located at 5 Oak Street, containing approximately 21,268 square feet of vacant land, and is bounded and described as follows:

Beginning at the intersection of the southerly sideline of Herald Street and the easterly sideline of Shawmut Ave., thence running by easterly sideline of Shawmut Avenue on a bearing of S13°-07'-24"W a distance of one hundred twenty-five and forty-nine hundredths (125.49') feet, to a point, said point being the starting point of Parcel 4;

thence turning to the left by land N/F M. L. Levin, et al, Trustees, on a bearing of S74°-09'-41"E a distance of one hundred six and thirteen hundredths (106.13') feet, to a point;

thence turning to the right, still by land N/F M. L. Levin, et al, Trustees, on a bearing of S15°-49'-49"W a distance of fifty-seven and ten hundredths (57.10') feet, to a point;

thence turning to the left, still by land N/F M. L. Levin, et al, Trustees, on a bearing of S73°-06'-00"E a distance of fifty-four and thirty hundredths (54.30') feet, to a point;

thence turning to the right and by land N/F Boston Redevelopment Authority on a bearing of S19°-45'-42"W a distance of ninety-two and sixty-six hundredths (92.66') feet, to a point;

thence turning to the right by land N/F Roman Catholic Diocese of Boston on a bearing of N73°-06'-54"W a distance of one hundred sixty-four and twenty-nine hundredths (164.29') feet, to a point;

thence turning to the right and running by easterly sideline of Shawmut Avenue on a bearing of N19°-46'-46"E a distance of one hundred forty-seven and ninety hundredths (147.90') feet, to the point of beginning, having an area of 21,268 square feet, more or less, excepting herefrom utility easement, as described below.

UTILITY EASEMENT OF PARCEL 4

Beginning at the intersection of the southerly sideline of Herald Street and the easterly sideline of Shawmut Avenue, thence running by two courses on the easterly sideline of Shawmut Avenue on bearings of S13°-07'-24"W a distance of one hundred twenty-five and forty-nine hundredths (125.49') feet and by a bearing of S19°-46'-46"W a distance of one hundred seven and fifty-five hundredths (107.55') feet, to the point of beginning of utility easement;

thence running through Parcel 4 on a bearing of S73°-06'-54"E a distance of one hundred sixty-four and twenty-eight hundredths (164.28') feet, to a point;

thence turning to the right and running by land N/F Boston Redevelopment Authority on a bearing of $S19^{\circ}-45'-42''W$ a distance of forty and thirty-five hundredths (40.35') feet, to a point;

thence turning to the right and running by land N/F Roman Catholic Diocese of Boston on a bearing of $N73^{\circ}-06'-54''W$ a distance one hundred sixty-four and twenty-nine hundredths (164.29') feet, to a point;

thence turning to the right and running by the easterly sideline of Shawmut Avenue on a bearing of $N19^{\circ}-46'-46''E$ a distance of forty and thirty-five hundredths (40.35') feet, to the point of beginning of Utility Easement, containing an area of 6,620 square feet, more or less.

The owner of the parcel of land hereby taken is unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH END URBAN RENEWAL AREA

AWARD OF DAMAGES

No awards are made with this Order of Taking.

